

**Minutes of the Regular Meeting of the  
Buena Vista Planning and Zoning Commission  
March 17, 2010**

**CALL TO ORDER**

A Regular meeting of the Planning and Zoning Commission was called to order at 6:04 PM, Wednesday, March 17, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Chairwoman Baker. Present were Chairwoman Baker, Commissioners Ken Keller, Jed Selby, Palmer, Town Planner Shannon Haydin, and Deputy Town Clerk Jennifer Dixon.

**ROLL CALL**

Deputy Town Clerk Dixon proceeded with the roll call and declared a quorum.

**PLEDGE OF ALLEGIANCE**

Chairwoman Baker led in the Pledge of Allegiance.

**AGENDA ADOPTION**

Chairwoman Baker called for amendments to the agenda. Commissioner Selby added item "F" "Discussion of the Building Code Discussion." **Motion #1** by Chairwoman Baker, seconded by Commissioner Keller, to adopt the agenda as amended. Motion carried.

**Approval of the Minutes**

Chairwoman Baker called for approval of the March 3, 2010 minutes. There were a couple recommended changes. These changes will be made and presented at the next Planning and Zoning Meeting.

**PUBLIC COMMENT**

Chairwoman Baker opened the public comment portion of the hearing at 6:07 PM.

**John Bellantonio P.O. Box 305 Buena Vista, CO 81211**

Mr. Bellantonio would like to bring up a discussion regarding a Dog Park in Buena Vista. He did not expect much to happen tonight with this, except for some possible guidance. He is new to this type of situation and would really like to get something started. Several things need to be decided such as location, dimensions, the cost of doing it, the cost of maintenance, what kind of rules, what type of impact on the town, etcetera. He is willing to do the leg work and would like to know what he can do to assist the town in accomplishing this. Mr. Bellantonio asked the Planning and Zoning Commission for ideas.

There was a discussion regarding GOCO Grants and Salida had difficulty with obtaining this grant. However Planner Haydin felt that since Town of Buena Vista was looking to add new

recreation to the town this could make us eligible and it shouldn't be ruled out. Planner Haydin also stated that this is a great time to bring this up with the Recreation Plan being reviewed.

Mr. Bellantonio stated the dog club did various fund raising projects and Murdoch's gave supplies at cost. The cost of the Salida Dog Park was \$6,000, which he felt was low amount. He plans to do more research regarding that.

With no other comments received, the public comment portion of the hearing was closed at 6:19 PM.

### **RESPONSE TO PUBLIC COMMENT**

The Planning and Zoning Commission encouraged Mr. Bellantonio regarding this matter and look forward to more information.

### **NEW BUSINESS**

#### **A. Mountain View Subdivision Filing "3" Exemption**

Planner Haydin reviewed her staff report and offered the following recommendation: The Planning and Zoning Commission recommend approval of the Re-plat of Tract A, Mountain View Addition Filing 2 with the following conditions:

1. A development agreement between the Applicant and the Town is executed at the time of approval of the Final Plat.

There was a discussion regarding concern regarding the large amount of asphalt and breaking up entry ways. Also discussed was the necessity of sidewalks, landscaping and the asphalt.

**Motion #3** by Commissioner Keller, seconded by Commissioner Selby, to recommend approval of the Re-plat of Tract A, Mountain View Addition Filing 2 with the following conditions:

1. A development agreement between the Applicant and the Town is executed at the time of approval of the Final Plat.
2. One tree per lot and in addition there will be 6 trees on the east boundary and 6 trees on the northeast boundary to be a buffer between the residential areas.
3. Also no sidewalks required.

During discussion of the motion Commissioner Selby asked for clarification that Commissioner Keller felt the screening was more important than the sidewalks, Commissioner Keller replied, "yes." Chairwoman Baker stated "I don't want the sidewalks to go."

**Walt Harder 627 Oak St, Salida, Colorado**

The applicant made the suggestion of instead of placing sidewalks in this area; they would offer to put them somewhere else in town where they were needed. They would make it the same linear feet, just elsewhere in the town at the Board of Trustees discretion.

**In light of the suggestion Commissioner Keller rescinded Motion #3.**

**Motion #4 by Commissioner Selby, seconded by Commissioner Keller, to recommend approval of the Replat of Tract A, Mountain View Addition Filing 2 with the following conditions:**

- 1. We would recommend accepting cash in lieu of sidewalk payment equal to the amount of the cost of the sq footage of sidewalk that would have been installed times the market value including prep, installation, material and labor.**
- 2. There will be an agreement that is deemed appropriate by the Town that outline all of the terms.**

**Motion carried**

**B. Plum Minor Subdivision**

Planner Haydin reviewed the application and her staff report and then gave the following recommendation.

The Planning and Zoning Commission recommend approval of the Plum Minor Subdivision with the following conditions:

1. That the location of the driveway access for Lot 2 be shown on the Final Plat and that a plat note be added that the remaining mature trees along the northern property line will be protected.
2. That a parkland dedication fee in lieu of \$156 be paid prior to recordation of the Final Plat.
3. A Street Tree Fee in the amount of \$600 is paid prior to recordation of the final plat, or two trees per lot are planted by the applicant if requested by the applicant and approved by the Board of Trustees. If trees are planted by the applicant, they must be planted in accordance to the Buena Vista Planting Guide and warranted for a period of two years.
4. That all representations made by the applicant and relied upon by the Planning and Zoning Commission and/or the Board of Trustees in evaluating the minor subdivision application be deemed a part of the application and be binding upon the applicant.

**Syd Schueren, Landmark Survey, 202 North F Street, Salida, CO**

There was discussion regarding the flood plain and some concern as to the ownership of the ditch through the property. It was recommended that there should be a plat note regarding this.

There was a discussion regarding curb, gutter and sidewalk fees. The way that the code reads it cannot be required at this time. Chairwoman Baker requested that this part of the code be added to the list of code to be changed.

**Motion # 5 by Commissioner Selby, seconded by Commissioner Keller, to recommend to the Board of Trustees approval of the Minor Subdivision with the following conditions:**

- 1. That the location of the driveway access for Lot 2 be shown on the Final Plat and that a plat note be added that the remaining mature trees along the northern property line will be protected.**
- 2. That a parkland dedication fee in lieu of \$156 be paid prior to recordation of the Final Plat.**
- 3. A Street Tree Fee in the amount of \$600 is paid prior to recordation of the final plat, or two trees per lot are planted by the applicant if requested by the applicant and approved by the Board of Trustees. If trees are planted by the applicant, they must be planted in accordance to the Buena Vista Planting Guide and warranted for a period of two years.**
- 4. That all representations made by the applicant and relied upon by the Planning and Zoning Commission and/or the Board of Trustees in evaluating the minor subdivision application be deemed a part of the application and be binding upon the applicant.**
- 5. Planning and Zoning recommend adding a plat note concerning the ditch.**

**Motion carried**

Chairwoman Baker called for a break at 7:40 PM  
Chairwoman Baker called back in order at 7:52 PM

**C. Ordinance for Sign Code Revisions**

Planner Haydin reviewed the ordinance amending section 16-242 of the Buena Vista Municipal Code.

After a brief discussion the following motion was made.

**Motion #6 by Chairwoman Baker, seconded by Commissioner Keller, to recommend approval to of the ordinance amending the sign code to the Board of Trustees. Motion carried.**

**D. Revised Special Events Ordinance**

Planner Haydin reviewed the Special Events Permitting Ordinance. The Town Attorney had some concerns about freedom of speech and making sure the ordinance didn't prevent rallies, the attorney also recommended changing it to section 11 of the code instead of section 16, the number of people for an event was changed from 50 people to 200 people, and there was a change to remove the deposit.

After a brief discussion the following motion was made.

**Motion #7 by Chairwoman Baker, seconded by Commissioner Selby, to recommend approval of the Special Events Ordinance to the Board of Trustees. Motion Carried**

**E. Adoption of 2006 International Fire Code**

There was a discussion regarding the IFC and that the IBC does currently give us some protections. It was discussed that Public Works Director Roy Gertson would like to review and make some amendments that may be necessary. Staff would like to articulate what is needed and what would need to be added.

After a brief discussion the following motion was made.

**Motion #8 by Commissioner Selby, second by Commissioner Keller, recommends the adoption is further reviewed and reconsidered at a later date. Motion carried.**

**F. Building Code Discussion**

Commissioner Selby stated it had been brought to his attention that the building code does not allow IRC for alternative access for loft space.

Planner Haydin proposed to amend the code and review it and present it as an agenda item. Commissioner Selby will send the section the IBC that deals with this to Shannon.

**OLD BUSINESS**

None

**CHAFFEE COUNTY REPORT**

The adoption of the 2006 Building Code by Chaffee County stated the permits issued under the 2000 code expired January 1, 2010. Both Poncha Springs and Salida also adopted this expiration; Buena Vista did not.

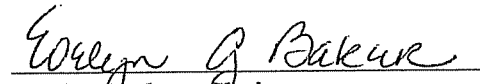
**STAFF REPORT**

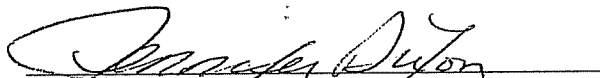
Nothing at this time

**ADJOURNMENT**

**Motion #10** by Chairwoman Baker, seconded by Commissioner Selby, noting that there being no further business to come before the Board declared that the meeting be adjourned at 8:27 PM. Motion carried.

Respectfully submitted:

  
Evelyn Baker, Chairwoman

  
Deputy Town Clerk, Jennifer Dixon